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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT EXAMINING OPERATION

Applicant: James B. Copelan
Serial No: 09/729,888 Group Art Unit: 3764
Filed: December 4, 2000 Examiner: Michael A. Brown
Att. Docket No.: C1123/20008 Confirmation No.: 7354
For: A PRE-SURGICAL SAFETY, WARNING NOTIFICATION
AND/OR SAFETY DEVICE

COMMUNICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Introductory Comments

The Applicant's representative gratefully acknowledges the courtesies extended by the Examiner during the telephone conference of January 29, 2004, during which the Examiner agreed to review the following proposed claims. Proposed Claim P1 is intended to represent rejected device Claim 9 rewritten as a method claim in response to the Examiner objection to claiming a part of the body. It is believed that overcoming the 35 U.S.C. 112 problem will also overcome the prior art problems under 35 U.S.C. 102 and 35 U.S.C. 103.

Claim P2 is directed to Fig. 1 where the Examiner indicated there may be allowable subject matter. Claims P3, P4 depend from Claim P2.



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FACSIMILE TRANSMITTAL SHEET

TO: Examiner Michael A. Brown **DATE:** February 5, 2004

URGENT HAND CARRY TO EXAMINER MICHAEL A. BROWN

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FROM: Frank Linguiti, Esq.

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RE: C1123/20008

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COMMENTS:

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